



Order Filed on January 29, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

OFFICE OF THE CHAPTER 13 STANDING TRUSTEE
Isabel C. Balboa, Esquire
Cherry Tree Corporate Center
535 Route 38, Suite 580
Cherry Hill, NJ 08002
(856) 663-5002

In Re:

HORACE W. SMITH

Case No: 17-34495-ABA
Hearing Date:
Judge: Andrew B. Altenburg, Jr.
Chapter: 13

Recommended Local Form:

☐ Followed

☒ Modified

**ORDER REGARDING CHAPTER 13 STANDING
TRUSTEE'S MOTION TO DISMISS OR
CERTIFICATION OF DEFAULT**

The relief set forth on the following pages number two (2) through three (3) is hereby **ORDERED**.

DATED: January 29, 2020



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

The Court having considered the motion or certification of Isabel C. Balboa, Chapter 13 Standing Trustee, and any objections filed, it is hereby

ORDERED that:

- ☒ The debtor(s)' case is hereby DISMISSED
- ☐ The debtor(s)' plan is allowed to continue at the regular monthly payment of _____ for a period of _____ months. If the debtor(s) should fail to make any future Chapter 13 plan payment for a period of more than thirty (30) consecutive days, the Trustee shall file a Certification of Default with notice of said Certification to the debtor(s) and debtor(s)' attorney, if any, and the court shall enter an Order dismissing the debtor(s)' case.
- ☐ An Order to Employer to pay the Chapter 13 Trustee shall be prepared and filed with the Court by the debtor(s) or debtor(s)' attorney, if any, within thirty (30) days from the date of this Order.
- ☒ Other:
- ☒ IT IS FURTHER ORDERED that, pursuant to [11 U.S.C. § 349\(b\)](#), this Court for cause retains jurisdiction over any additional application filed within 30 days by any administrative claimant for funds on hand with the Chapter 13 Standing Trustee.
- ☐ IT IS FURTHER ORDERED that the debtor(s)' case is allow to continue with the arrears being capitalized throught the debtor(s)' plan, and the plan shall continue at _____ which represents total receipts applied to plan.

- ☐ IT IS FURTHER ORDERED that the debtor(s)' case is allowed to continue with a lump sum payment of _____ due within __ days from the date of this Order.
- ☐ IT IS FURTHER ORDERED that if the debtor(s)' instant Chapter 13 case is dismissed, such dismissal shall be with prejudice and the debtor(s) shall be barred from filing for Chapter 13 bankruptcy protection for a period of __ from the date of dismissal of debtor(s)' case.
- ☐ IT IS FURTHER ORDERED that the debtor(s)' case is allowed to continue with tier payments of _____.
- ☐ This order incorporates a fee application for debtor(s)' attorney in the amount of _____ pending Court approval.
- ☐ A status hearing shall be held on _____.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Horace W. Smith
DebtorCase No. 17-34495-ABA
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Jan 29, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 31, 2020.

db #+Horace W. Smith, 2465 Coronado Dr, Vineland, NJ 08360-6805

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 31, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 29, 2020 at the address(es) listed below:

Alexandra T. Garcia on behalf of Creditor Bayview Loan Servicing, LLC NJECFMAIL@mwc-law.com,
nj-ecfmail@ecf.courtdrive.comAndrew Thomas Archer on behalf of Debtor Horace W. Smith aarcher@spillerarcherlaw.com,
bankruptcy@brennerlawoffice.com;r64966@notify.bestcase.comDenise E. Carlon on behalf of Creditor LakeView Loan Servicing, LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

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summarymail@standingtrustee.comKevin Gordon McDonald on behalf of Creditor Toyota Motor Credit Corporation
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.comKevin Gordon McDonald on behalf of Creditor LakeView Loan Servicing, LLC
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.comMelissa S DiCerbo on behalf of Creditor Bayview Loan Servicing, LLC nj-ecfmail@mwc-law.com,
nj-ecfmail@ecf.courtdrive.com

Mina M Beshara on behalf of Creditor Bayview Loan Servicing, LLC mbeshara@hinshawlaw.com

Rebecca Ann Solarz on behalf of Creditor LakeView Loan Servicing, LLC rsolarz@kmlawgroup.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11